

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LIFESTYLE COMMUNITIES, LTD., et al.,) Civil Action 2:22-CV-1775
)
Plaintiffs,)
v.) Judge Sarah D. Morrison
)
CITY OF WORTHINGTON, OHIO,)
Defendant.) Magistrate Judge Elizabeth P. Deavers
)

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

EXHIBIT 10

Lindsey, Tom

From: David Robinson <davidwhitfieldrobinson@gmail.com>
Sent: Thursday, December 21, 2017 7:53 PM
To: Greeson, Matt
Cc: Lindsey, Tom
Subject: UMCH and Comp Plan

Hello Matt,

Thank you for dialoging with me in a serious, respectful, and constructive manner about the sensitive topic of UMCH. As discussed, I wish to make a motion before Council for consideration and passage of a Resolution regarding the UMCH portion of the Comprehensive Plan (CP), and am seeking the advice and services of the City's Department of Law in order to facilitate this process (Tom is copied in on this email for this purpose).

It is my intent that the proposed Resolution will void/invalidate/suspend (not sure what the right terminology is) the UMCH portion of the CP, not only the 2014 update, but the prior versions as well (since the 2005 version can be seen as the 2014 version in nascent form). The resolution should be explicit that, if passed, the city's policy regarding the UMCH property will be "indeterminate," "under review," etc. (again, not sure of the right terminology, but it needs to be clear that the prior plan [2014 etc.] is no longer operative and holds no claim to priority or authority moving forward) until further formal action by Council.

My thinking is that the Resolution text proceed along these lines: 1) a positive outcome at UMCH, a central and strategic property, is of vital interest to all in the city, 2) recent events (the last three years) indicate that the CP does not enjoy the the consensus status desired, and upon which the CP is predicated, 3) therefore, in order to not misrepresent the city's position, and to create an environment conducive to original, creative thinking by the community, the current UMCH portion of the CP will be rendered inoperative, and city policy being indeterminate until further formal action by City Council. (Unlike the update Resolution No. 39-2014, I think this Resolution should be very spare—the shorter the better to convey the necessary elements).

I realize these notes represent only a skeletal framework, but as I shared this morning I am intent on moving on this at the very outset of the new year. Can we discuss asap the process and timeline to make this happen? If helpful at any juncture, I am ready and willing to sit down with you and Tom, and anyone else, to discuss any issues pertaining to this Resolution, including a review of my background assessment motivating this request.

Thank you ahead of time.

David

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